

PUBLIC GRIEVANCES COMMISSION
GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
M-BLOCK, VIKAS BHAWAN, I.P. ESTATE (NEAR ITO),
NEW DELHI-110 110.

EQUAL OPPORTUNITY POLICY FOR PERSONS WITH DISABILITIES

Section 21 of the Rights of Persons with Disabilities Act 2016 mandates that :

(1) Every establishment shall notify Equal Opportunity Policy detailing measures proposed to be taken by it in pursuance of the provisions of chapter IV in manner as prescribed by the central govt.

(2) Every establishment shall register a copy of the said policy with the Chief Commissioner or the State Commissioner, as the case may be.

Therefore, in pursuance of the Section 21 of the of the Rights of Persons with Disabilities Act 2016 and Rule 8, 9 and 10 under Chapter-IV (Employment) of the Rights of Persons with Disabilities Rules 2017 **and as incorporated** under Rule 12, 13 and 14 under Chapter- V, Employment and Vacancies for Persons With Benchmark Disabilities of the Delhi Rights of persons with Disabilities Rules 2018, the Public Grievances Commission, GNCT of Delhi frames the following Equal Opportunity Policy for Persons with Disabilities:-

Policy Statement:

The Public Grievances Commission, GNCTD is committed towards eliminating all forms of unlawful discrimination (which includes direct discrimination, indirect discrimination) and denial of reasonable accommodation and harassment of persons with disabilities.

(a) Facilities and amenities to be provided to the persons with disabilities to enable them to effectively discharge their duties in the establishment-

The Public Grievances Commission aims to ensure that our physical and digital infrastructure (buildings, furniture, facilities and services in the building) adhere to the accessibility standards as prescribed by the Government of India. Provision of ramp and lift is already available in the building for the facility of persons with disabilities. We will explore the possibility of constructing a toilet accessible to persons with disabilities through PWD of the Govt. of NCT of Delhi.

(b) List of posts identified suitable for persons with disabilities in the establishment – Action on this point is to be taken by the Services Department, Govt. of NCT of Delhi, which is the Cadre Controlling Authority for group A, B & C posts in this Commission.

(c) The manner of selection of persons with disabilities for various posts, post-recruitment and pre-promotion training, preference in transfer and posting, special leave, preference in allotment of residential accommodation if any, and other facilities;

(i) Selection of persons with disabilities for various posts: All such identified posts shall be filled up through the Services Department, Govt. of NCT of Delhi.

Any information shared by an employee on disability/medical condition shall be kept confidential.

(ii) Post recruitment and Pre-promotion Induction training: It is an essential component of the service requirement of an employee.

Induction training programme for the persons with disabilities shall be imparted together with other employees, in consultation with the Directorate of Training, Govt. of NCT of Delhi or any other government department. The venue of the training shall be fixed as considered suitable for conducting such training to PwDs. The Department shall utilize existing Budget provisions for undertaking the aspects of training programme.

(iii) Preference in transfer and posting : Relates to Services Department, Govt. of NCT of Delhi.

(iv) Special leave: The guidelines issued in this regard as per office memorandum no. 36035/3/2013-Estt. (Res) dated 31/03/2014 by the Department of Personnel and Training, GOI will be followed which refer to OM No. 25°11/1/20°8-Estt.(A) dated 19.11.2008 having a provision of Special Casual Leave for 4 days in a calendar year for employees with disabilities for specific requirements relating to disabilities of the official. Further, vide DoPT, GOI OM No. 28°16/02/2°07-Estt (A) dated 14.11.2007, there is also a provision of 10 days Special Casual Leave in a calendar year subject to exigencies of work for the employees with disabilities for participating in Conference/Seminars/Trainings/Workshop related to disability and development to be specified by Ministry of Social Justice & Empowerment shall be implemented. The same shall also be applicable for participating in Conference/Seminars/Trainings/Workshop related to disability and development to be specified by the GNCT of Delhi.

(d) Provisions for assistive devices, barrier-free accessibility and other provisions for persons with disabilities: Appropriate furniture, wheel chairs (motorized if necessary), software scanners, computer and other hardware, etc. in accordance with their requirement, which would

improve their efficiency, shall be provided to PwDs by the Department. High tech/latest technology led assistive devices (including low vision aids, hearing aids with battery) on the recommendation of Doctor shall either be provided or the cost of such devices shall be reimbursed as per govt. approved rates with a specific time period (2 months) to persons with disabilities in accordance with the price/durability of the special devices. The Department would carry out a review in this regard every three years. The employees with disabilities may seek reimbursement of such devices from the office from which they draw their salary.

(e) Appointment of liaison officer by the department to look after the recruitment of persons with disabilities and provisions of facilities and amenities for such employees.

Recruitments in respect of all posts in this Commission is done by the Services Department, Govt. of NCT of Delhi.

(f) The Administration Branch of the Department shall maintain records containing the following particulars, namely:-

- 1) the number of persons with disabilities who are employed and the date from when they are employed;
- 2) the name, gender and address of persons with disabilities;
- 3) the nature of disability of such persons;
- 4) the nature of work being rendered by such employed person with disability; and
- 5) the kind of facilities being provided to such persons with disabilities.

- (g)** The department shall produce for inspection on demand; records maintained under these rules, to the District level Committee on Disability and shall supply such information which may be required for the purpose of ascertaining whether the provisions have been complied with.
- (h)** The department shall appoint an officer not below the rank of a Gazetted Officer as Grievance Redressal Officer.
- (i)** The Grievance Redressal Officer shall maintain a register of complaints of persons with disabilities with the following particulars, namely:-
- 1) date of complaint;
 - 2) name of complainant;
 - 3) name of the person who is enquiring the complaint;
 - 4) place of incident;
 - 5) the name of establishment or person against whom the complaint is made;
 - 6) gist of the complaint;
 - 7) documentary evidence, if any;
 - 8) date of disposal by the Grievance Redressal Officer;
 - 9) details of disposal of the appeal by the district level committee; and
 - 10) any other information.

Employees with disability have the right to file a complaint concerning any discrimination with the Grievance Redressal Officer. Any policy violation i.e. when any person with disability is discriminated against or not provided reasonable accommodation or denied access to any facility will be regarded as a grievance.

On investigation, if the employee against whom the complaint has been made is found guilty of discriminatory behavior, she/he will be dealt in accordance with the provisions of the Act. Possible action taken against the employee may include a reprimand, detraction of benefits for a definite or indefinite time period, demotion, denial of promotion and suspension or termination for more serious offences. Involuntary or indirect discrimination will be resolved through training, counseling and suitable modification of procedures when required to ensure fair treatment.

The above policy covers applicants with disabilities for posts in the Department, full time/part time employees, interns/trainees, contractual employees, including temporary employees. It also covers those employees who acquire disability during their work tenure. Review of Policy shall be undertaken at regular intervals.